

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ANTHONY WAYNE RILEY, )  
Petitioner, )  
vs. ) Case No. CIV-13-0397-F  
MIKE ADDISON, Warden, )  
Respondent. )

## ORDER

Petitioner has not objected to the magistrate judge’s recommended findings that petitioner be denied in forma pauperis status, that petitioner be required to pay the filing fee, and that absent payment this action be dismissed. Petitioner does, however, ask the court for an extension of the date for payment of the filing fee until May 31, 2013, and has for that purpose has filed an “Application for Extension of Time to Pay Filing Fee.” Doc. no. 6.

After review, and with no objection having been filed, the Report and Recommendation of Magistrate Judge Purcell, doc. no. 5, is **ACCEPTED** and **AFFIRMED** with the **MODIFICATION** stated below regarding the deadline for payment of the filing fee.

Petitioner's request for leave to proceed in forma pauperis, doc. no. 2, is **DENIED**.

Petitioner's application for an extension is **GRANTED**. For good cause shown, the date stated in the Magistrate Judge's Report and Recommendation for payment of the filing fee is **EXTENDED** to May 31, 2013, as requested by petitioner.

Absent a further extension, failure to timely pay the filing fee will result in dismissal of this action without prejudice, as recommended by the magistrate judge.

Dated this 28<sup>th</sup> day of May, 2013.



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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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